

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**
(Special Original Jurisdiction)

PRESENT
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.10370 of 1997

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Date: 01.12.2006

Between:

V. Raveena Reddy, W/o. Bharath Reddy,
R/o. Roechester Hills, M1 of USA,
Rep. by her Power of Attorney
Sri R.Sudheer Reddy, S/o.Murahari Reddy,
R/o.Kishnapuram,
Hanumakonda.

... PETITIONER

AND

1. The Joint Collector and Directing Authority,
Warangal District, Warangal and three others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.10370 of 1997

ORDER:

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This writ petition has been listed for hearing on the last occasion and since there was no representation on behalf of the writ petitioner, the matter is listed for dismissal today. Unfortunately, even today, there is no representation on behalf of the writ petitioner.

This writ petition has been instituted seeking directions to the respondents not to undertake or effect any mutations or changes as to the ownership or management of M/s.Ashoka Theatre, Hanamkonda owned by M/s.Ashoka Enterprises till the disposal of the suit bearing O.S.No.327 of 1996 on the file of the Court of the I Additional Subordinate Judge, Warangal.

The petitioner had claimed that she is a partner of M/s.Ashoka Enterprises, Hanamkonda, which owned a movie theatre by name Ashoka Theatre at Hanamakonda in Warangal District. While so, she executed a General Power of Attorney in favour of her father, the third respondent herein to take care of the day-to-day affairs as well as the interest of the petitioner. She alleges that the third respondent joined hands with the other partners with a view to cause loss and hardship to her and has been taking certain steps and measures which are considered to be pernicious to her interest and hence she had instituted a civil suit bearing O.S.No.327 of 1996 on the file of the Court of the I Additional Subordinate Judge, Warangal seeking a declaration as well as rendition of accounts by the partnership firm and for other ancillary reliefs and obtained interim injunction on 24.01.1997. The order passed by the I Additional Subordinate Judge in I.A.No.870 of 1996 in O.S.No.327 of 1996 has been filed along with the writ petition. The respondents 1 and 2 in this writ petition are not parties to the afore-

mentioned civil suit.

The first respondent, Joint Collector, Warangal had filed the counter-affidavit stating that based upon the documents produced before him showing that the petitioner ceased to be a partner of M/s.Ashoka Enterprises with effect from 01.09.1995 and that an application in Form-H has been submitted to the Licensing Authority for incorporating the name of the fourth respondent herein as the Managing Partner of M/s.Ashoka Enterprises, and after conducting necessary enquiry into the matter, he passed orders on 03.02.1997 incorporating the name of the fourth respondent as the Managing Partner in Form-B-licence granted in favour of the firm in terms of the Andhra Pradesh Cinemas (Regulation) Act, 1955. Thus, the first respondent asserts that the necessary change by way of incorporation of the name of the fourth respondent had taken place much prior to the institution of this writ petition and therefore, the relief prayed for in this writ petition to the extent of preventing any changes to be brought in Form-B-licence, has worked itself out by the time the writ petition came to be instituted.

Whereas, the second respondent, Municipal Corporation of Warangal filed the counter affidavit stating that it has not received any application regarding the change of ownership in respect of M/s.Ashoka Theatre and therefore, it had not carried out any such changes in its registers.

Thus, the grievance entertained by the petitioner has been handled by both the respondents 1 and 2 in the aforesaid manner. Insofar as changes that were made in Form-B-licence incorporating the name of the fourth respondent, Managing Partner is concerned, perhaps the petitioner will have to take separate steps questioning the same for securing such changes made in Form-B licence undone. Even otherwise, the present writ petition has been instituted as an interim measure till such time the civil suit bearing O.S.No.327 of 1996 on the file of the Court of the I Additional Subordinate Judge, Warangal is decided, which perhaps would have been decided by now.

Therefore, I find that the cause in this writ petition does not

deserve further consideration, and hence, the writ petition is dismissed,
but however, without costs.

Nooty Ramamohana Rao, J

Date: 01.12.2006

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